UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

In re: Mortgage Foreclosure Cases	))))	Misc. No. 11-mc-88-M-LDA

REQUEST TO DISBURSE FUNDS

Each of the below matters were recently dismissed by this Court. Following the dismissal of each matter, the Special Master's Office advised all parties in each case that Use & Occupancy funds were still being held in escrow. Any party who sought to have those funds awarded to them was advised to file a motion with the Court. As of the date of this writing, no party has filed such motion.

Under the circumstances, where no party has made any claim of right towards the Use and Occupancy fees, the Special Master recommends that the Use and Occupancy funds be returned to the parties who paid such funds.

The Special Master therefore requests permission to disburse the Use and Occupancy funds in each of the below cases as follows:

CA 11-338 **Berrillo et al v. Mortgage Electronics Registration Systems, Inc et al**
All Use & Occupancy fees held in escrow (which currently total $16,000) shall be disbursed to the Plaintiffs, Robert Berrillo and Jane Berrillo

[payment to be made to Mindy Montecalvo, as attorney for Robert Berrillo and Jane Berrillo].

CA 12-947 **Rathburn et al v. Mortgage Electronic Registration Systems, Inc. et al**

All Use & Occupancy fees held in escrow (which currently total $3,300) shall be disbursed to the Plaintiffs, David Rathburn and Betsey Rathburn [payment to be made to Mindy Montecalvo, as attorney for David Rathburn and Betsey Rathburn].

CA 13-203 **Fonseca et al v. Mortgage Electronic Registration Systems, Inc. et al**

All Use & Occupancy fees held in escrow (which currently total $1,530) shall be disbursed to the Plaintiffs, Julio Fonseca and Lee Fonseca [payment to be made to Mindy Motecalvo, as attorney for Julio Fonseca and Lee Fonseca].

CA 13-254 **Mendez v. Bank of America et al**

All Use & Occupancy fees held in escrow (which currently total $2,160) shall be disbursed as follows: (1) the sum of $110 to the Fee Billing Escrow Fund, as payment for the Plaintiff's outstanding retainer invoice; and (2) the sum of $2,050 to the Plaintiff, Jenier Mendez [payment to be made to Mario Martone, as attorney for Jenier Mendez].

Respectfully submitted,

Barbara Hurst
Deputy Special Master

9/9/2014
Date